

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**GARY AND SANDRA WILLSCH,
on behalf of themselves and all others
similarly situated,**

Plaintiff(s)

v.

**NATIONWIDE INSURANCE COMPANY
OF AMERICA**

Defendant(s)

Civil Action No: 09 5276

**NATIONWIDE INSURANCE COMPANY OF AMERICA’S
SEPARATE MOTION FOR SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, Nationwide Insurance Company of America hereby moves for judgment in its favor as a matter of law. In support thereof, Nationwide Insurance Company of America incorporates its supporting Memorandum of Law, Statement of Undisputed Facts, and the Joint Statement of Undisputed Facts submitted as part of the Defendants’¹ Joint Motion for Summary Judgment.

NELSON LEVINE de LUCA & HORST, LLC

BY: /s/ Michael R. Nelson

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518 Township Line Rd., Suite 300
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¹ The Defendants in: *Willsch v. Nationwide Insurance Company of America*, No. 09-5276; *Kolesar v. Encompass Indemnity Company*, No. 09-5510; *Mecadon v. Allstate Indemnity Company*, No. 09-5511; *Bucari v. Allstate Property and Casualty Insurance Company*, No. 09-5512; *Warrick v. Allstate Insurance Company*, No. 09-6077; *Besecker v. Peerless Indemnity Insurance Company*, No. 09-5513; *Baldoni v. State Farm Mutual Automobile Insurance Company*, No.09-5514; and *Lowe-Fenick v. Progressive Specialty Insurance Company*, No. 09-5515.

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Nationwide Insurance Company of America

Dated: June 30, 2010